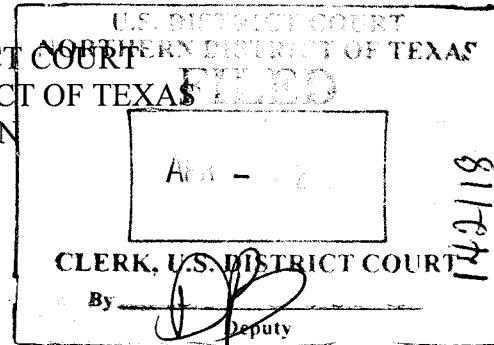


0  
ORIGINAL  
UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION



20/20 MANAGEMENT COMPANY, INC.,  
ST. JOHN'S HOLDINGS, INC., AND  
MICHAEL NEARY,

PLAINTIFFS,

vs.

COMUNIDAD CORPORATION, ALLAN  
KLEIN, MITCHELL KOBERNICK,  
INDIVIDUALLY AND MIKOB  
PROPERTIES, INC., *et al.*,

DEFENDANTS.

CIVIL ACTION NO. 2008 CV-60850  
(Jury Requested)

**NOTICE OF REMOVAL**

Pursuant to 28 U.S.C §§ 1452 and 1334, Defendant Comunidad Kensington Club I, LLC (“Comunidad Kensington”), files this Notice of Removal to the United States District Court for the Northern District of Texas, Dallas Division, and in support thereof respectfully states:

**Procedural Background**

1. On December 29, 2005, this civil action was commenced in the 134<sup>th</sup> District Court of Dallas County, Texas, under Cause No. 05-12895, *20/20 Management Company, Inc., St. John's Holdings, Inc., and Michael Neary vs. Comunidad Corporation, Allan Klein, Mitchell Kobernick, and Mikob Properties, Inc., et al.* (the “State Court Action”). All documents filed in the State Court Action, excluding discovery material, together with a complete index of those documents are attached hereto.

2. The State Court Action is a suit for alleged real estate brokerage fees. Plaintiffs have claimed an interest in the real property owned by Comunidad Kensington and have filed a lis pendens on that property. Even though the lis pendens has no basis in law, Plaintiffs have refused to remove the lis pendens.

3. Comunidad Kensington was joined as a defendant and served with citation on December 5, 2007. On December 21, 2007, Comunidad Kensington filed its original answer.

4. A jury trial has been requested.

5. On March 31, 2008, Comunidad Kensington filed a voluntary petition under Chapter 11 of the Bankruptcy Code in the United States Bankruptcy Court for the Southern District of Texas, Houston Division, under Case No. 08-32127 (the "Bankruptcy Case").

**The Court Has Jurisdiction Pursuant to 28 U.S.C. § 1334.**

6. This Court has original but not exclusive jurisdiction of all civil actions "arising under Title 11, or arising in or related to cases under Title 11." 28 U.S.C. § 1334(b). The pending State Court Action is related to the Bankruptcy Case now pending in the United States Bankruptcy Court for the Southern District of Texas, because Comunidad Kensington, a defendant, has filed a voluntary petition under Chapter 11 of the United States Bankruptcy Code. Comunidad Kensington's primary asset in the Bankruptcy Case is the real property in which Plaintiffs have claimed an interest. Accordingly, the State Court Action is related to the Bankruptcy Case and may be removed to this Court pursuant to 28 U.S.C. § 1452.

7. Comunidad Kensington may therefore remove the case to this Court pursuant to 28 U.S.C. §§ 1334(b) and 1452.

**All Requirements for Removal Have Been Met and Removal to This Court Is Proper.**

8. This Notice of Removal is timely. Pursuant to Rule 9027(a)(2) of the Fed. Rules of Bankr. Proc., the State Court Action was removed within 90 after the order for relief in the Bankruptcy Case. The Bankruptcy Case was filed on March 31, 2008, less than one week prior to the filing of the Notice of Removal.

9. The State Court Action, upon its removal, is a core proceeding within the meaning of 28 U.S.C. § 157.

10. The United States District Court of the Northern District of Texas, Dallas Division, is the proper court in which to remove this action pursuant to 28 U.S.C. § 1452(a) and Rule 9027(a)(1) of the Fed. Rules of Bankr. Proc., in that the State Court Action is pending in this district and division.

11. Comunidad Kensington is serving written notice upon all parties who have made an appearance in the State Court Action, and is filing a copy of this Notice of Removal with the Clerk of the District Court in the 134<sup>th</sup> Judicial District Court, Dallas County, Texas.

12. Comunidad Kensington has attached to this Notice of Removal all documents filed in the State Court Action, excluding discovery material but including process, pleadings, orders, and all other filings in the state court action, as required by 28 U.S.C. § 1446(a). Pursuant to Local Rule 81.1, attached to this Notice of Removal are the following:

- (a) an index of all documents that clearly identifies each document and indicates the date the document was filed in state court (Exhibit A);
- (b) a copy of the docket sheet in the State Court Action (Exhibit B);
- (c) each document filed in the State Court Action, except discovery material (Exhibit C); and

(d) a separately signed certificate of interested persons (Exhibit D).

WHEREFORE, Defendant Comunidad Kensington Club I, LLC requests that the above-entitled action be removed from the 134<sup>th</sup> Judicial District Court, Dallas County, Texas, and that this Court take jurisdiction of the case to final judgment in accordance with the laws of the United States.

Respectfully submitted,

LAW OFFICE OF MARK A. SANDERS

By: \_\_\_\_\_

  
Mark A. Sanders  
State Bar No. 17600500  
11451 Katy Freeway, Ste. 501  
Houston, Texas 77079  
Telephone: 713-468-7700  
Telecopier: 713-468-7701

*Counsel for Defendant*  
**Comunidad Kensington Club I, LLC**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the Notice of Removal was delivered to all counsel of record on the 9/11 day of April, 2008, via facsimile, as follows:

Mitchell Madden  
MADDEN SEWELL, L.L.P.  
Four Hickory Centre  
1755 Whittington Place, Suite 300  
Dallas, Texas 75234  
*Counsel for Plaintiffs*  
**20/20 Management Company**  
**St. John's Holdings, Inc.**  
**Michael Neary**

Michael W. Eaton  
EATON LAW FIRM, PLLC  
1310 N. White Chapel Road, Suite 200  
Southlake, Texas 76092  
Telecopier: 817-410-9525  
Telephone: 817-410-9500  
*Counsel for Defendant*  
**Comunidad Corporation**

*and/or hand delivery*  
Lawrence J. Friedman  
Bart F. Higgins  
R. Brian Shields  
FRIEDMAN & FEIGER, L.L.P.  
5301 Spring Valley Road, Suite 200  
Dallas, Texas 75254  
*Counsel for Intervenor*  
**International Realty Concepts, Inc.**



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Mark A. Sanders

# EXHIBIT A

## INDEX OF DOCUMENTS FILED WITH THE COURT

TAB #	DATE	EVENTS & ORDERS OF THE COURT
1.	12/29/05	Original Petition and Jury Demand
2.	12/29/05	Citation and Return of Service on Mikob Properties, Inc., Mikob, Ltd., Mitchell Kobernick, Allan Klein and Mitchell Kobernick, as General Partner (served 05/09/06)
3.	02/28/06	Original Answer of Defendant Comunidad Corporation
4.	03/28/06	Plaintiffs' Motion for Substituted Service
5.	04/07/06	Order Granting Motion for Substituted Service
6.	06/06/06	Original Answer of Defendants Allan Klein, Mitchell Kobernick and Mikob Properties, Inc.
7.	06/13/06	Notice of Jury Trial Setting – 10/09/06
8.	06/13/06	Mediation Order
9.	06/23/06	Plaintiffs' Designation of Attorney-in-Charge
10.	09/20/06	Rule 11 Agreement with proposed Scheduling Order
11.	09/26/06	Docket Control Order
12.	09/27/06	Notice of Resetting of Jury Trial - 02/26/07
13.	10/27/06	Plaintiffs' Designation of Expert Witness
14.	12/01/06	Defendants Allan Klein, Mitchell Kobernick, and Mikob Properties, Inc.'s Designation of Expert Witness
15.	12/12/06	Defendant Comunidad Corporation's Motion for Protective Order
16.	01/10/07	Plaintiffs' Rule 11 Agreement
17.	02/20/07	Agreed Motion for Continuance
18.	03/14/07	Notice of Resetting of Jury Trial - 08/20/07
19.	03/20/07	Plaintiffs' First Amended Petition
20.	03/30/07	Plaintiffs' Motion to Compel Discovery from Defendant Comunidad Corporation and Request for Sanctions
21.	04/12/07	Letter rescheduling the scheduling conference for 04/23/04
22.	04/24/07	Notice of Resetting of Jury Trial - 10/29/07
23.	04/30/07	Defendants' Motion to Cancel Notices of Lis Pendens
24.	05/15/07	Notice of Hearing – 06/11/07
25.	06/11/07	Plaintiffs' Response to Defendants' Motion to Cancel Notices of Lis Pendens
26.	06/11/07	Plaintiffs' Second Amended Petition
27.	07/06/07	Notice of vacation letter from Mark Sanders
28.	07/19/07	Agreed Confidentiality and Protective Order
29.	08/21/07	Notice of Hearing – 09/04/07
30.	08/21/07	Defendants' Emergency Motion to Determine Adequate Protection Under Tex. Prop. Code §12.008(a) and to Cancel Notices of Lis Pendens
31.	08/21/07	Defendants' Mikob Properties, Inc., Mitchell Kobernick and Allan Klein's, No Evidence and Motion for Traditional Summary Judgment

<b>TAB #</b>	<b>DATE</b>	<b>EVENTS &amp; ORDERS OF THE COURT</b>
32.	08/21/07	Affidavit of John Martin
33.	08/21/07	Affidavit of Mitchell Kobernick
34.	09/24/07	Notice of Scheduled Mediation Conference
35.	09/25/07	Letter Brief from Mark Sanders re: Motion to Cancel Lis Pendens
36.	10/09/07	Agreed Motion for Continuance and Entry of New Scheduling Order
37.	10/09/07	Notice of non-settlement from mediator
38.	10/16/07	Order Granting Agreed Motion for Continuance of Trial Date
39.	10/17/07	Notice of Resetting of Jury Trial - 05/19/08
40.	10/19/07	Defendants' Motion for Reconsideration of Motion to Cancel Notices of Lis Pendens
41.	10/23/07	Amended Certificate of Conference for Defendants' Motion for Reconsideration of Motion to Cancel Notices of Lis Pendens
42.	11/06/07	Letter from Mitchell Madden stating his opposition to the Motion for Reconsideration of Motion for Lis Pendens
43.	11/07/07	Notice of Appearance of Walter A. Herring and Melissa Davis as co-counsel for Mikob Properties, Inc., Allan Klein and Mitchell Kobernick
44.	11/12/07	Plaintiffs' Response to Defendants' Motion for Reconsideration of Motion to Cancel Notices of Lis Pendens
45.	11/12/09	Affidavit of Mitchell Kobernick
46.	11/13/07	International Realty Concepts, Inc.'s Original Petition in Intervention
47.	11/16/07	Defendants' Amended Motion for Partial Summary Judgment
48.	11/20/07	Defendants' Motion to Strike International Realty Concepts, Inc.'s Original Petition in Intervention
49.	11/26/07	Order Denying Plaintiff's Motion for Reconsideration to Cancel Lis Pendens
50.	11/26/07	Order – granting Defendants' Emergency Motion to Determine Adequate Protection Under Tex. Prop. Code §12.008(a) and to Cancel Plaintiffs' Notice of Lis Pendens
51.	11/28/07	Notice of Oral Hearing – on Amended Motion for Partial Summary Judgment
52.	11/28/07	Order – from the Fifth Court of Appeals
53.	11/30/07	Defendants' Emergency Motion to Cancel Notices of Lis Pendens in Light of Mandamus Ruling on Controlling Law Points
53A	11/30/07	Order of Direction from the Court of Appeals Regarding Lis Pendens
54.	11/30/07	Certified copy of Order of Direction from the Court of Appeals Regarding Lis Pendens
55.	11/30/07	Order – from the Fifth Court of Appeal
56.	11/30/07	Memorandum Opinion – from the Fifth Court of Appeal
57.	12/03/07	Affidavit of Mitchell Kobernick in regard to Application for Temporary Restraining Order
58.	12/03/07	Certificate of Conference

TAB #	DATE	EVENTS & ORDERS OF THE COURT
59.	12/03/07	Intervenor International Realty Concepts, Inc.'s Application for Temporary Restraining Order and Temporary and Permanent Injunctive Relief, or in the Alternative, Intervenor's Application for the Issuance of a Writ of Attachment
60.	12/03/07	International Realty Concepts, Inc.'s Amended Petition in Intervention
61.	12/04/07	Plaintiff's Emergency Motion for Expedited Discovery
62.	12/04/07	Motion for Protective Order
63.	12/04/07	Plaintiffs' Third Amended Petition, Application for Writs of Attachment or in the Alternative for a Temporary Restraining Order and Temporary and Permanent Injunctive Relief
64.	12/07/07	Allan Klein, Mitchell Kobernick, and Comunidad Balboa, LLC's Motion to Quash Notices of Deposition and Subpoena Duces Tecum and Motion for Protective Order
65.	12/07/07	Notice of Video Tape Deposition Duces Tecum of the Corporate Representative of Comunidad Balboa, LLC
66.	12/10/07	Defendants' Emergency (1) Request for Written Order, and (2) First Supplement to 11/30/07 Emergency Motion to Cancel Notices of Lis Pendens in Light of Mandamus Ruling on Controlling Law Points
67.	12/11/07	Defendants' Second Emergency (1) Request for Written Order, and (2) Second Supplement to 11/30/07 Emergency Motion to Cancel Notices of Lis Pendens in Light of Mandamus Ruling on Controlling Law
67A	12/14/07	Allan Klein and Mitchell Kobernick's Motion to Quash Amended Notices of Deposition and Subpoenae Duces Tecum and Motion for Protective Order
68.	12/14/07	Plaintiffs' Motion to Compel Written Discovery and Deposition Discovery from Defendants Mikob Properties, Inc., Mitchell Kobernick and Allan Klein and Emergency Motion to Shorten Time for Hearing
69.	12/14/07	Plaintiffs' Motion to Continue "Emergency" Hearing Set for December 17, 2007 at 10:00 A.M.
70.	12/17/07	Comunidad Balboa, LLC and Mikob Properties Inc.'s Objections and Motion to Quash Subpoenae Ad Testificandum and Duces Tecum and Motion for Protective Order
71.	12/17/07	Allan Klein and Mitchell Kobernick's Objections and Motion to Quash Subpoenae Ad Testificandum and Duces Tecum and Motion for Protective Order
72.	12/17/07	Order – Fifth Court of Appeals
73.	12/17/07	Memorandum Opinion – Fifth Court of Appeals
74.	12/17/07	Intervenor's Response to Defendants' Second Emergency (1) Request for Written Order, and (2) Second Supplement to 11/30/07 Emergency Motion to Cancel Lis Pendens in Light of Mandamus Ruling on Controlling Law Points
75.	12/18/07	Allan Klein and Mitchell Kobernick's Objections and Motion to Quash Subpoenae Ad Testificandum and Duces Tecum and Motion for Protective Order

TAB #	DATE	EVENTS & ORDERS OF THE COURT
76.	12/19/07	Plaintiffs' Letter Brief
77.	12/21/07	Notice of appointment of mediator
78.	12/21/07	Affidavit of Mitchell Kobernick
79.	12/21/07	Defendants' Motion to Transfer Venue
80.	12/21/07	Original Answer Subject to Motion to Transfer Venue
81.	12/26/07	Notice of Designation of Lead Counsel for Relators – Fifth Court of Appeals
82.	01/09/08	Amended Answer Subject to Motion to Transfer Venue
83.	01/14/08	Defendants' Amended Motion to Transfer Venue
84.	01/14/08	Notice of Oral Hearing
85.	01/25/08	Emergency Motion to Sever
86.	01/25/08	Amended Certificate of Conference to Intervenors Motion to Sever
87.	01/29/08	Defendants' Preliminary Objection and Request for Protection Regarding January 2008 Amended Notices of Deposition Duces Tecum
88.	02/07/08	Citations and Return of Service for Fourth Amended Petition Served on Balboa Partners, Ltd.; BP Apt. Management, LC; KCP Management, LC; Oak Creek Management, Inc.; Oaks of Brittany Management, Inc.; Oaks of Brittany, Ltd.; S. Haven Management, LC; S. Haven Partners, Ltd.; F. Court Management, LC; F. Court Partners, Ltd.; Harbortree Apartments, Ltd.; Amherst Partners, Ltd.; AEP Management, LC; Ashford Est. Partners, Ltd.; Kensington Green (MK), Inc.; Kensington Green (AK), Inc.; Kensington Club Partners, Ltd; Kensington Club Apartments, Ltd.
89.	02/07/08	Plaintiffs' Fourth Amended Petition, Application for Writs of Attachment or in the Alternative for a Temporary Restraining Order and Temporary and Permanent Injunctive Relief
90.	02/20/08	Plaintiffs' Notice of Filing Rule 11 Agreement with Comunidad Corporation
91.	02/20/08	Plaintiffs' Notice of Filing Rule 11 Agreement with Mikob Properties, Allan Klein and Mitchell Kobernick
92.	02/20/08	Intervenor's Motion for Summary Judgment as to Counts I and II of Intervenor's Second Amended Petition in Intervention and Brief in Support
93.	02/22/08	IRC's Second Amended Petition in Intervention and Application for Writ of Attachment or in the Alternative for a Temporary Restraining Order and Temporary and Permanent Injunctive Relief
94.	02/25/08	Defendants Allan Klein, Mitchell Kobernick and Mikob Properties, Inc.'s Privilege Log

TAB #	DATE	EVENTS & ORDERS OF THE COURT
95.	03/03/08	Citations for Second Amended Petition Served on Balboa Partners, Ltd.; BP Apt. Management, LC; KCP Management, LC; Oak Creek Management, Inc.; Oaks of Brittany Management, Inc.; S. Haven Partners, Ltd.; F. Court Management, LC; F. Court Partners, Ltd.; Harbortree Apartments, Ltd.; Amherst Partners, Ltd.; AEP Management, LC; Ashford Est. Partners, Ltd.; Kensington Green (MK), Inc.; Kensington Green (AK), Inc.; Kensington Club Partners, Ltd; Kensington Club Apartments, Ltd.
96.	03/03/08	Answer of Defendants to Plaintiffs' Fourth Amended Petition Subject to Motion to Transfer Venue
97.	03/03/08	Plaintiffs' Motion to Enforce Rule 11 Agreements, to Compel Discovery and for Sanctions Against Defendants and Their Attorneys Pursuant to Rule 13 of the Texas Rules of Civil Procedure, Chapter 10 of the Texas Civil Practice and Remedies Code, Texas Rule of Civil Procedure 215 and the Court's Inherent Authority
98.	03/03/08	Unopposed Motion to Extend Deadline to Respond to Defendant's Motion to Transfer Venue
99.	03/07/08	Amended Certificate of Conference Plaintiffs' Motion to Enforce Rule 11 Agreements, to Compel Discovery and for Sanctions Against Defendants and Their Attorneys Pursuant to Rule 13 of the Texas Rules of Civil Procedure, Chapter 10 of the Texas Civil Practice and Remedies Code, Texas Rule of Civil Procedure 215 and the Court's Inherent Authority
100.	03/10/08	First Amended Certificate of Conference Plaintiffs' Motion to Enforce Rule 11 Agreements, to Compel Discovery and for Sanctions Against Defendants and Their Attorneys Pursuant to Rule 13 of the Texas Rules of Civil Procedure, Chapter 10 of the Texas Civil Practice and Remedies Code, Texas Rule of Civil Procedure 215 and the Court's Inherent Authority
101.	03/10/08	Second Amended Answer Subject to Motion to Transfer Venue
102.	03/11/08	Plaintiffs' Motion to Quash Notices of Intention to Take Video Deposition of Corporate Representative of 20/20 Management Company, Inc., Corporate Representative of St. Johns Holdings, Inc., Michael Neary, and Louis Reese
103.	03/12/08	Plaintiffs' Response in Opposition to Defendants' Amended Motion to Transfer Venue
104.	03/17/08	Defendants' Emergency (a) March 17, 2008 Status Update, (2) Third Written Request fro Order, and (3) Third Supplement to 11.30/07 Emergency Motion to Cancel Notices of Lis Pendens in Light of Mandamus Ruling on Controlling Law Points – All Subject to Pending Motion to Transfer Venue
105.	03/17/08	Defendants Mikob Properties, Inc., Mitchell Kobernick, Allan Klein's and Comunidad Corporation's, No Evidence and Traditional Motion for Summary Judgment

<b>TAB #</b>	<b>DATE</b>	<b>EVENTS &amp; ORDERS OF THE COURT</b>
106.	03/17/08	Affidavit of Mitchell Kobernick
107.	03/17/08	Notice of Oral Hearing
108.	03/17/08	Defendants' Objections and Motion to Quash Deposition by Written Questions to Fidelity National Title Insurance Company and to Patriot Bank and Motion for Protective Order
109.	03/17/08	Intervenor International Realty Concepts, Inc.'s Response in Opposition to Defendants' Amended Motion to Transfer Venue
110.	03/18/08	Defendants' Motion to Transfer Venue
111.	03/18/08	Answer to Intervenor's Second Amended Petition in Intervention Subject to Motion to Transfer Venue
112.	03/20/08	Preliminary Response to Plaintiffs' Libelous March 3 <sup>rd</sup> "Motion for Sanctions" and Continuing Request for Conference Under the Local Rules
113.	03/24/08	Defendants Allan Klein, Mitchell Kobernick, and Mikob Properties, Inc.'s Supplemental Designation of Expert Witnesses
114.	03/24/08	Plaintiffs' Response in Opposition to Defendants' Emergency (1) March 17, 2008 Status Update, (2) Third Written Request for Order, and (3) Third Supplement to 11/30/07 Emergency Motion to Cancel Notices of Lis Pendens in Light of Mandamus Ruling on Controlling Law Points
114A	03/25/08	Plaintiffs' Response in Opposition to Defendants' Emergency (1) March 17, 2008 Status Update, (2) Third Written Request for Order, and (3) Third Supplement to 11/30/07 Emergency Motion to Cancel Notices of Lis Pendens in Light of Mandamus Ruling on Controlling Law Points
115.	03/25/08	Defendants' Motion to Transfer Venue
116.	03/25/08	Answer of Defendants to International Realty Concepts, Inc.'s Second Amended Petition in Intervention Subject to Motion to Transfer Venue
117.	04/03/08	Defendants' Objections and Motion to Quash Subpoenas to Fidelity National Title Insurance Company, to Patriot Bank Richard Melamed, Dan Platt, and Debbie Barela and Motion for Protective Order
118.	04/04/08	Defendant's Preliminary Response in Opposition to Plaintiffs' Libelous and Bad Faith March 3 <sup>rd</sup> Motion to Compel/For Sanctions (Subject to Defendants' Pending Motion to Transfer Venue)

# EXHIBIT B

**20/20 MANAGEMENT COMPANY, INC.  
vs.  
MIKOB PROPERTIES, INC.**

§ Location: 134th District Court  
§ Judicial Officer: ASHBY, ANNE  
§ Filed on: 12/29/2005

## CASE INFORMATION

Case Type: **DEBT/CONTRACT**

#### **PARTY INFORMATION**

PLAINTIFF	20/20 MANAGEMENT COMPANY ,INC.	<i>Lead Attorneys</i> <b>MADDEN, MITCHELL</b> <i>Retained</i>	972-484-7780
	<b>NEARY, MICHAEL</b>	<b>MADDEN, MITCHELL</b>	972-484-7780
		<i>Retained</i>	
	<b>ST JOHNS HOLDINGS INC</b>	<b>MADDEN, MITCHELL</b>	972-484-7780
		<i>Retained</i>	
DEFENDANT	<b>AEP MANAGEMENT LC</b>		
	<b>AMHERST PARTNERS LTD</b>		
	<b>ASHFORD EST PARTNERS LTD</b>		
	<b>BALBOA PARTNERS LTD</b>		
	<b>BP APT MANAGEMENT LC</b>		
	<b>COMUNIDAD BALBOA LLC</b>		
	<b>COMUNIDAD CORPORATION</b>	<b>EATON, MICHAEL W</b>	817-410-9500
		<i>Retained</i>	
	<b>F COURT MANAGEMENT LC</b>		
	<b>F COURT PARTNERS LTD</b>		
	<b>HARBORTREE APARTMENTS LTD</b>		
	<b>KCP MANAGEMENT LC</b>		
	<b>KENSINGTON CLUB APARTMENTS LTD</b>		
	<b>KENSINGTON CLUB PARTNERS LTD</b>		
	<b>KENSINGTON GREEN (AK) INC</b>		
	<b>KENSINGTON GREEN (MK) INC</b>		
	<b>KLEIN, ALLEN</b>		
	<b>KOBERNICK, MITCHELL</b>		
	<b>MIKOB PROPERTIES INC.</b>		

## Exhibit B

**CASE SUMMARY**  
**CASE NO. DC-05-12895**

MIKOB, LTD.

MITCHELL KOBERNICK, AS GENERAL PARTNER

OAK CREEK MANAGEMENT INC

OAKS OF BRITTANY LTD

OAKS OF BRITTANY MANAGEMENT INC

PRESTON AFFILIATES INC

S HAVEN MANAGEMENT LC

S HAVEN PARTNERS LTD

THIRD PARTY	COMUNDIAD KENSINGTON CLUB II, LLC	SANDERS, MARK ALAN 713-468-7700 <i>Retained</i>
	COMUNIDAD CAPITAL,LLC	SANDERS, MARK ALAN 713-468-7700 <i>Retained</i>
	COMUNIDAD HARBORTREE,LLC	
	COMUNIDAD KENSINGTON CLUB I,LLC	SANDERS, MARK ALAN 713-468-7700 <i>Retained</i>
	COMUNIDAD STONEHAVEN,LLC	SANDERS, MARK ALAN 713-468-7700 <i>Retained</i>
	COMUNIDAD WISTERIA GARDENS,LLC	SANDERS, MARK ALAN 713-468-7700 <i>Retained</i>

DATE	EVENTS & ORDERS OF THE COURT	INDEX
12/29/2005	ORIGINAL PETITION (OCA)	
12/29/2005	JURY DEMAND (OCA)  Party: PLAINTIFF 20/20 MANAGEMENT COMPANY ,INC.	<i>Vol./Book J22, Page302, 1 pages</i>
12/29/2005	ISSUE CITATION	
12/30/2005	<b>CITATION</b> MIKOB PROPERTIES,INC. served 05/09/2006 MIKOB, LTD. served 05/09/2006 KOBERNICK, MITCHELL served 05/09/2006 KLEIN, ALLEN served 05/09/2006 COMUNIDAD CORPORATION unserved MITCHELL KOBERNICK, AS GENERAL PARTNER served 05/09/2006	
12/30/2005	ISSUE CITATION	
02/28/2006	ORIGINAL ANSWER - GENERAL DENIAL Party: DEFENDANT COMUNIDAD CORPORATION <i>COMUNIDAD CORPORATION</i>	
03/28/2006	MOTION - SUBSTITUE SERVICE	

**CASE SUMMARY**  
**CASE NO. DC-05-12895**

	Party: PLAINTIFF 20/20 MANAGEMENT COMPANY ,INC.	
04/07/2006	ORDER - SUBSTITUTE SERVICE	<i>Vol./Book 361G, Page451, 1 pages</i>
06/06/2006	ORIGINAL ANSWER - GENERAL DENIAL Party: DEFENDANT MIKOB PROPERTIES,INC.; DEFENDANT KOBERNICK, MITCHELL; DEFENDANT KLEIN, ALLEN	
06/13/2006	ORDER - MEDIATION	<i>Vol./Book 364G, Page242, 2 pages</i>
06/23/2006	DESIGNATE LEAD COUNSEL Party: PLAINTIFF 20/20 MANAGEMENT COMPANY ,INC.	
09/20/2006	RULE 11	
09/26/2006	SCHEDULING ORDER	<i>Vol./Book 367G, Page473, 1 pages</i>
10/09/2006	<b>CANCELED Jury Trial - Civil CASE TRIAL RESET</b>	
10/27/2006	DESIGNATION OF EXPERT WITNESS(ES)	
12/01/2006	DESIGNATION OF EXPERT WITNESS(ES) <i>DFTS</i>	
12/14/2006	MOTION - PROTECT Party: DEFENDANT COMUNIDAD CORPORATION	
01/10/2007	RULE 11 <i>PLTF</i>	
02/20/2007	MOTION - CONTINUANCE Party: PLAINTIFF 20/20 MANAGEMENT COMPANY ,INC.; DEFENDANT MIKOB PROPERTIES,INC. <i>AGREED CONTINUANCE</i>	
02/20/2007	MOTION - CONTINUANCE Party: PLAINTIFF 20/20 MANAGEMENT COMPANY ,INC.	
02/26/2007	TRIAL SETTING (JURY)	
02/26/2007	<b>Jury Trial - Civil (9:00 AM) (Judicial Officer: ASHBY, ANNE)</b>	
03/20/2007	AMENDED PETITION Party: PLAINTIFF 20/20 MANAGEMENT COMPANY ,INC.	
03/30/2007	MOTION - COMPEL Party: PLAINTIFF 20/20 MANAGEMENT COMPANY ,INC. <i>PLTF-DISCOVERY FROM DEFT COMUNIDAD CORP &amp; REQUEST FOR SANCTIONS</i>	
04/09/2007	<b>Scheduling Conference (9:45 AM) (Judicial Officer: ASHBY, ANNE)</b> <i>PLTF-AMD DOCKET CONTROL ORD-15M</i>	
04/23/2007	<b>Pre-Trial Hearing (1:00 PM) (Judicial Officer: ASHBY, ANNE)</b> <i>PLTF-PRE-TRIAL ORD-30M</i>	

**CASE SUMMARY**  
**CASE NO. DC-05-12895**

04/30/2007	MISCELLANOUS EVENT Party: DEFENDANT MIKOB PROPERTIES,INC.; DEFENDANT KOBERNICK, MITCHELL; DEFENDANT KLEIN, ALLEN; DEFENDANT COMUNIDAD CORPORATION <i>DFTS-M/CANCEL/NOTICES/LIS PENDENS</i>	
05/15/2007	NOTICE OF HEARING / FIAT	
06/10/2007	NOTE - CLERKS ***** <i>BEGIN JCKT#2*****</i>	
06/11/2007	RESPONSE <i>PLTF-TO M/CANCEL NOTICES OF LIS PENDENS</i>	
06/11/2007	RESPONSE <i>PLTF-M/CANCEL/NOTICES/LIS PENDENS</i>	
06/11/2007	AMENDED PETITION Party: PLAINTIFF 20/20 MANAGEMENT COMPANY ,INC. <i>PLTF-2ND</i>	
06/11/2007	<b>MOTION HEARING (2:30 PM)</b> (Judicial Officer: ASHBY, ANNE) <i>DEFTS-M/CANCEL N/LIS PENDENS-30M</i>	
07/19/2007	ORDER - MISC.  <i>PLTF-AGRD CONFIDENTIALITY &amp; PROTECTIVE ORD</i>	<i>Vol./Book 381G, Page 192, 10 pages</i>
07/24/2007	NOTE - CLERKS <i>SENT COPY OF CONFIDENTIALITY ORDER SIGNED 7/19 ATTY-MADDEN</i>	
08/20/2007	<b>CANCELED Jury Trial - Civil</b> <i>CASE TRIAL RESET</i>	
08/21/2007	NOTICE OF HEARING / FIAT <i>DEFT</i>	
08/21/2007	MOTION - MISCELLANOUS Party: DEFENDANT MIKOB PROPERTIES,INC. <i>DEFTS-MIKOB PROPERTIES INC-EMERGENCY M/DETERMINE ADEQUATE PROCTECTION &amp; TO CANCEL N/LIS PENDENS</i>	
08/21/2007	NO EVIDENCE MOTION FOR SUMMARY JUDGMENT Party: DEFENDANT MIKOB PROPERTIES,INC.; DEFENDANT KLEIN, ALLEN; DEFENDANT MITCHELL KOBERNICK, AS GENERAL PARTNER <i>DEFTS-MIKOB PROPERTIES INC</i>	
08/21/2007	AFFIDAVIT Party: DEFENDANT MIKOB PROPERTIES,INC. <i>JOHN MARTIN</i>	
08/21/2007	AFFIDAVIT Party: DEFENDANT MIKOB PROPERTIES,INC. <i>MITCHELL KOBERNICK</i>	
08/23/2007	<b>CANCELED MOTION HEARING</b> <i>REQUESTED BY ATTORNEY/PRO SE</i> <i>DEFT-EMERGENCY M/DETERMINE ADEQUATE PROTECTIIION &amp; TO CANCEL NOTICES OF LIS PEDENS-1 1/2 HRS</i>	

**CASE SUMMARY**  
**CASE NO. DC-05-12895**

10/09/2007	MOTION - CONTINUANCE Party: PLAINTIFF 20/20 MANAGEMENT COMPANY, INC. <i>AND ENTRY OF NEW SCHEDULING ORDER</i>	
10/16/2007	ORDER - GRANTING CONTINUANCE	<i>Vol./Book 382G, Page 70, 1 pages</i>
10/19/2007	MOTION - RECONSIDER Party: DEFENDANT MIKOB PROPERTIES, INC.; DEFENDANT KOBERNICK, MITCHELL; DEFENDANT KLEIN, ALLEN; DEFENDANT COMUNIDAD CORPORATION <i>M/CANCEL NOTICES LIS PENDENS</i>	
10/25/2007	CERTIFICATE OF CONFERENCE <i>DEFT</i>	
10/29/2007	<b>CANCELED</b> Jury Trial - Civil <i>CASE TRIAL RESET</i>	
11/07/2007	NOTICE OF APPEARANCE Party: DEFENDANT MIKOB PROPERTIES, INC.; DEFENDANT KLEIN, ALLEN; DEFENDANT MITCHELL KOBERNICK, AS GENERAL PARTNER	
11/12/2007	RESPONSE <i>PLTF-M/RECONSIDERATION OF M/CANCEL NOTICES OF LIS PENDENS</i>	
11/12/2007	AFFIDAVIT Party: DEFENDANT MIKOB PROPERTIES, INC. <i>MITCHELL KOBERNICK</i>	
11/12/2007	<b>Motion - Reconsider</b> (3:00 PM) (Judicial Officer: ASHBY, ANNE) <i>DEFT-M/CANCEL LIS PENDENS-30M</i>	
11/13/2007	INTERVENTION	
11/16/2007	MOTION - PARTIAL SUMMARY JUDGMENT Party: DEFENDANT MIKOB PROPERTIES, INC. <i>DEFT-AMD</i>	
11/16/2007	<b>Scheduling Conference</b> (3:30 PM) (Judicial Officer: ASHBY, ANNE) <i>-PER AA-CONFERENCE CALL-30M</i>	
11/20/2007	MOTION - STRIKE Party: DEFENDANT KLEIN, ALLEN <i>DFTS-ORIG PET/INTERVENTION</i>	
11/26/2007	ORDER - DENY <i>PLTF-M/RECONSIDERATION TO CANCEL LIS PENDENS</i>	<i>Vol./Book 383G, Page 440, 1 pages</i>
11/26/2007	ORDER - MISC. <i>DEFT-EMERGENCY M/DETERMINE ADEQUATE PROTECTION</i>	<i>Vol./Book 383G, Page 441, 1 pages</i>
11/26/2007	<b>MOTION HEARING</b> (3:45 PM) (Judicial Officer: ASHBY, ANNE) <i>DEFT-MIKOB-M/DETERMINE ADEQUATE PROTECTION-30M</i>	
11/28/2007	NOTICE OF HEARING / FIAT	

**CASE SUMMARY**  
**CASE NO. DC-05-12895**

11/30/2007	MISCELLANOUS EVENT Party: PLAINTIFF 20/20 MANAGEMENT COMPANY ,INC. <i>COA ORDER</i>	
11/30/2007	MOTION - MISCELLANOUS Party: DEFENDANT MIKOB PROPERTIES,INC.; DEFENDANT KOBERNICK, MITCHELL; DEFENDANT KLEIN, ALLEN <i>DEFTS-EMERGENCY M/CANCEL N/LIS PENDENS IN LIGHT OF MANDAMUS RULING ON CONTROLLING LAW POINTS</i>	
11/30/2007	MISCELLANOUS EVENT Party: PLAINTIFF 20/20 MANAGEMENT COMPANY ,INC. <i>COA ORDER</i>	
11/30/2007	ORDER - MISC. <i>-OF DIRECTION FROM THE CT OF APPEALS REGARDING LIS PENDENS</i>	<i>Vol./Book 384G, Page 153, 1 pages</i>
12/03/2007	MISCELLANOUS EVENT Party: PLAINTIFF 20/20 MANAGEMENT COMPANY ,INC. <i>COA ORDER</i>	
12/03/2007	OPINION <i>COA OPINION</i>	
12/03/2007	AFFIDAVIT Party: DEFENDANT MITCHELL KOBERNICK, AS GENERAL PARTNER	
12/03/2007	CERTIFICATE OF CONFERENCE	
12/03/2007	APPLICATION - TEMPORARY RESTRAINING ORDER <i>INTERVENOR</i>	
12/03/2007	ISSUE CITATION	
12/03/2007	INTERVENTION Party: INTERVENOR INTERNATIONAL REALTY CONCEPTS INC <i>INTERVENOR-AMD</i>	
12/04/2007	ISSUE CITATION	
12/04/2007	<b>CITATION</b> COMUNIDAD CAPITAL,LLC served 12/05/2007 COMUNIDAD HARBORTREE,LLC served 12/05/2007 COMUNIDAD KENSINGTON CLUB I,LLC served 12/05/2007 COMUNIDAD KENSINGTON CLUB II, LLC served 12/05/2007 COMUNIDAD STONEHAVEN,LLC served 12/05/2007 COMUNIDAD WISTERIA GARDENS,LLC served 12/05/2007 <i>THIRD AMENDED</i>	
12/04/2007	MISCELLANOUS EVENT Party: PLAINTIFF 20/20 MANAGEMENT COMPANY ,INC. <i>PLTF-EMERGE3NCY/M/EXPEDITED DISCOVERY</i>	
12/04/2007	MOTION - PROTECT Party: DEFENDANT COMUNIDAD CORPORATION	

**CASE SUMMARY**  
**CASE NO. DC-05-12895**

12/04/2007	AMENDED PETITION Party: PLAINTIFF 20/20 MANAGEMENT COMPANY ,INC. <i>PLTF-3RD/APPL/WRITS/ATTACHMENT</i>
12/04/2007	NOTE - CLERKS ***** <i>BEGIN JCKT#3*****</i>
12/07/2007	MOTION - QUASH Party: DEFENDANT KOBERNICK, MITCHELL; DEFENDANT KLEIN, ALLEN <i>-NOTICES OF DEPO &amp; SUBPOENAE DUCES TECUM &amp; M/PROTECTIVE ORD</i>
12/07/2007	MISCELLANOUS EVENT Party: PLAINTIFF 20/20 MANAGEMENT COMPANY ,INC. <i>PLTF-N/VIDEO TAPE DEPO DUCES TECUM-CORPORATE REPRESENTATIVE OF COMUNIDAD BALBOA LLC</i>
12/10/2007	MOTION - ENTER ORDER Party: DEFENDANT MIKOB PROPERTIES,INC.; DEFENDANT KOBERNICK, MITCHELL; DEFENDANT KLEIN, ALLEN <i>DEFTS-EMERGENCY REQ WRITTEN ORD &amp; 1ST SUPPL TO 11/30/07 M/CANCEL NOTICES OF LIS PENDENS IN LIGHT OF MANDAMUS RULING ON CONTROLLING LAW POINTS</i>
12/11/2007	MOTION - COMPEL Party: DEFENDANT MIKOB PROPERTIES,INC.; DEFENDANT KOBERNICK, MITCHELL; DEFENDANT KLEIN, ALLEN <i>2ND EMERGENCY (1) REQUEST FOR WRITTEN ORD AND (2) SECOND SUPPL TO 11/30/07 EMERGENCY M/CANCEL NOTICES OF LIS PENDENS IN LIGHT OF MANDAMUS RULING ON CONTROLLING LAW POINTS</i>
12/14/2007	MOTION - QUASH Party: DEFENDANT KOBERNICK, MITCHELL; DEFENDANT KLEIN, ALLEN <i>AMD/NOTICE/DEPO</i>
12/14/2007	MOTION - COMPEL Party: PLAINTIFF 20/20 MANAGEMENT COMPANY ,INC. <i>DISCOVERY/DEPO/EMERGENCY/M/ SHORTEN TIME FOR HEARING IN ACCRD</i>
12/14/2007	MOTION - CONTINUANCE Party: PLAINTIFF 20/20 MANAGEMENT COMPANY ,INC. <i>PLTF-EMERGENCY HEARING</i>
12/17/2007	OBJECTION <i>DFTS-M/QUASH/PROTECTIVE</i>
12/17/2007	MISCELLANOUS EVENT Party: DEFENDANT KOBERNICK, MITCHELL; DEFENDANT KLEIN, ALLEN <i>COA-ORDER-DENY</i>
12/17/2007	MISCELLANOUS EVENT Party: DEFENDANT KOBERNICK, MITCHELL; DEFENDANT KLEIN, ALLEN <i>COA-MEMO-DENY</i>
12/17/2007	RESPONSE <i>I/2ND/EMERGENCY/M/CANCEL LIS PENDENS IN LIGHT OF MANDAMUS RULING</i>
12/17/2007	<b>MOTION HEARING</b> (10:00 AM) (Judicial Officer: ASHBY, ANNE) <i>DEFT-2ND EMERGENCY REQ WRITTEN ORD TO EMERGENCY M/CANCEL NOTICES LIS PENDENS-30M</i>

**CASE SUMMARY**  
**CASE NO. DC-05-12895**

12/18/2007	OBJECTION <i>DFTS-M/QUASH-2</i>	
12/19/2007	<b>CANCELED Motion - Strike</b> <i>REQUESTED BY ATTORNEY/PRO SE</i> <i>DEFT-ALLAN KLEIN, MITCHELL KOBERNICK &amp; MIKOB PROPERTIES-ORIG PET IN INTERVENTION-30M</i>	
12/19/2007	BRIEF FILED Party: PLAINTIFF 20/20 MANAGEMENT COMPANY ,INC. <i>LETTER BRIEF</i>	
12/21/2007	ORDER - MEDIATION	<i>Vol./Book 385G, Page 134, 2 pages</i>
12/21/2007	AFFIDAVIT Party: THIRD PARTY COMUNIDAD KENSINGTON CLUB II, LLC	
12/21/2007	MOTION - TRANSFER - CHANGE OF VENUE Party: THIRD PARTY COMUNIDAD KENSINGTON CLUB I,LLC	
12/21/2007	ORIGINAL ANSWER - GENERAL DENIAL Party: THIRD PARTY COMUNIDAD CAPITAL,LLC; THIRD PARTY COMUNIDAD KENSINGTON CLUB I,LLC; THIRD PARTY COMUNIDAD STONEHAVEN,LLC; THIRD PARTY COMUNIDAD WISTERIA GARDENS,LLC <i>SUBJECT TO TRSF VENUE</i>	
12/26/2007	DESIGNATE LEAD COUNSEL Party: DEFENDANT MIKOB PROPERTIES,INC.; DEFENDANT KOBERNICK, MITCHELL; DEFENDANT KLEIN, ALLEN	
01/09/2008	AMENDED ANSWER - AMENDED GENERAL DENIAL Party: THIRD PARTY COMUNIDAD CAPITAL,LLC; THIRD PARTY COMUNIDAD HARBORTREE,LLC; THIRD PARTY COMUNIDAD KENSINGTON CLUB I,LLC; THIRD PARTY COMUNIDAD KENSINGTON CLUB II, LLC; THIRD PARTY COMUNIDAD STONEHAVEN,LLC; THIRD PARTY COMUNIDAD WISTERIA GARDENS,LLC <i>SUBJECT TO M/TRSF VENUE</i>	
01/14/2008	MOTION - TRANSFER - CHANGE OF VENUE Party: THIRD PARTY COMUNIDAD CAPITAL,LLC; THIRD PARTY COMUNIDAD HARBORTREE,LLC; THIRD PARTY COMUNIDAD KENSINGTON CLUB I,LLC; THIRD PARTY COMUNIDAD KENSINGTON CLUB II, LLC; THIRD PARTY COMUNIDAD STONEHAVEN,LLC; THIRD PARTY COMUNIDAD WISTERIA GARDENS,LLC	
01/14/2008	NOTICE OF HEARING / FIAT	
01/15/2008	<b>CANCELED Motion - Partial Summary Judgment</b> <i>REQUESTED BY ATTORNEY/PRO SE</i> <i>DEFT-AMD-45M</i>	
01/25/2008	MOTION - SEVER Party: INTERVENOR INTERNATIONAL REALTY CONCEPTS INC <i>EMERGENCY</i>	
01/25/2008	CERTIFICATE OF CONFERENCE <i>INTERVENOR/AMD</i>	
01/29/2008	OBJECTION <i>DFTS-PROTECTION</i>	

**CASE SUMMARY**  
**CASE NO. DC-05-12895**

01/29/2008	OBJECTION <i>REQUEST PRODUCTION</i>
01/30/2008	<b>CANCELED Motion - Sever</b> <i>HEARING RESCHEDULED INTERVENOR-EMERGENCY-30M</i>
02/05/2008	<b>CANCELED Motion - Sever</b> <i>REQUESTED BY ATTORNEY/PRO SE INTERVENOR-EMERGENCY-30M</i>
02/07/2008	ISSUE CITATION
02/07/2008	<b>CITATION</b> BALBOA PARTNERS LTD served 02/08/2008 BP APT MANAGEMENT LC unserved KCP MANAGEMENT LC served 02/08/2008 OAK CREEK MANAGEMENT INC served 02/08/2008 OAKS OF BRITTANY MANAGEMENT INC served 02/08/2008 OAKS OF BRITTANY LTD served 02/08/2008 S HAVEN MANAGEMENT LC served 02/08/2008 S HAVEN PARTNERS LTD served 02/08/2008 F COURT MANAGEMENT LC served 02/08/2008 F COURT PARTNERS LTD served 02/08/2008 HARBORTREE APARTMENTS LTD served 02/08/2008 AMHERST PARTNERS LTD served 02/08/2008 AEP MANAGEMENT LC served 02/08/2008 ASHFORD EST PARTNERS LTD served 02/08/2008 KENSINGTON GREEN (MK) INC served 02/08/2008 KENSINGTON GREEN (AK) INC served 02/08/2008 KENSINGTON CLUB PARTNERS LTD served 02/08/2008 KENSINGTON CLUB APARTMENTS LTD served 02/08/2008 PRESTON AFFILIATES INC served 02/12/2008 <i>4TH AMD - 19 CIT/ATTY</i>
02/07/2008	AMENDED PETITION <i>4TH AMEND</i>
02/20/2008	RULE 11
02/20/2008	RULE 11
02/22/2008	ISSUE CITATION
02/22/2008	MOTION - SUMMARY JUDGMENT Party: INTERVENOR INTERNATIONAL REALTY CONCEPTS INC <i>INTERVENOR/AS TO COUNTS I, II/2ND AMD PET</i>
02/22/2008	AMENDED PETITION Party: INTERVENOR INTERNATIONAL REALTY CONCEPTS INC
02/25/2008	MISCELLANOUS EVENT Party: DEFENDANT KLEIN, ALLEN <i>PRIVILEGE LOG</i>
02/26/2008	<b>CITATION</b>

**CASE SUMMARY**  
**CASE NO. DC-05-12895**

BALBOA PARTNERS LTD	unserved
BP APT MANAGEMENT LC	unserved
KCP MANAGEMENT LC	unserved
OAK CREEK MANAGEMENT INC	unserved
OAKS OF BRITTANY MANAGEMENT INC	unserved
S HAVEN PARTNERS LTD	unserved
F COURT MANAGEMENT LC	unserved
F COURT PARTNERS LTD	unserved
HARBORTREE APARTMENTS LTD	unserved
AMHERST PARTNERS LTD	unserved
AEP MANAGEMENT LC	unserved
ASHFORD EST PARTNERS LTD	unserved
KENSINGTON GREEN (MK) INC	unserved
KENSINGTON GREEN (AK) INC	unserved
KENSINGTON CLUB PARTNERS LTD	unserved
KENSINGTON CLUB APARTMENTS LTD	unserved
PRESTON AFFILIATES INC	unserved
<i>2 AMENDED</i>	

03/03/2008	AMENDED ANSWER - AMENDED GENERAL DENIAL Party: DEFENDANT MIKOB PROPERTIES, INC.; DEFENDANT KOBERNICK, MITCHELL; DEFENDANT KLEIN, ALLEN
03/03/2008	MISCELLANOUS EVENT Party: PLAINTIFF 20/20 MANAGEMENT COMPANY , INC. <i>PLTF-M/ENFORCE/RULE 11</i>
03/03/2008	MISCELLANOUS EVENT Party: PLAINTIFF 20/20 MANAGEMENT COMPANY , INC. <i>PLTF-APPENDIX TO M/ENFORCE/RULE 11</i>
03/06/2008	MOTION - EXTEND <i>INTERVENOR/DEADLINE RESPOND</i>
03/07/2008	CERTIFICATE OF CONFERENCE <i>PLTF-AMD/TO M/ENFORCE RULE AGRMT</i>
03/09/2008	NOTE - CLERKS <i>BEGIN JCKT# 5</i>
03/10/2008	CERTIFICATE OF CONFERENCE <i>AMENDED</i>
03/10/2008	AMENDED ANSWER - AMENDED GENERAL DENIAL Party: DEFENDANT COMUNIDAD BALBOA LLC <i>SUBJECT TO M/TRSF VENUE</i>
03/11/2008	MOTION - QUASH Party: PLAINTIFF 20/20 MANAGEMENT COMPANY , INC. <i>PLTF-DEPO</i>
03/12/2008	RESPONSE <i>PLTF-OPPOSITION/AMD/M/TRSF/VENUE</i>
03/13/2008	NOTE - CLERKS <i>*****BEGIN JCKT#6*****</i>
03/17/2008	MISCELLANOUS EVENT

**CASE SUMMARY****CASE NO. DC-05-12895**

Party: DEFENDANT MIKOB PROPERTIES, INC.; DEFENDANT KOBERNICK, MITCHELL; DEFENDANT KLEIN, ALLEN  
*DFTS-EMERGENCY MARCH 17, 2008 STATUS UPDATE*

03/17/2008	NO EVIDENCE MOTION FOR SUMMARY JUDGMENT Party: DEFENDANT MIKOB PROPERTIES, INC.; DEFENDANT KOBERNICK, MITCHELL; DEFENDANT KLEIN, ALLEN; DEFENDANT COMUNIDAD CORPORATION <i>DEFTS-&amp; TRADITIONAL MSJ</i>
03/17/2008	AFFIDAVIT Party: DEFENDANT KOBERNICK, MITCHELL <i>DEFT-MITCHELL KOBERNICK</i>
03/17/2008	NOTICE OF HEARING / FIAT <i>DEFT</i>
03/17/2008	OBJECTION <i>DFTS-M/QUASH/DEPO/PROTECTIVE</i>
03/17/2008	RESPONSE <i>INTERVENOR/OPPOSITION/AMD/M/TRSF/VENUE</i>
03/18/2008	MOTION - TRANSFER - CHANGE OF VENUE Party: DEFENDANT COMUNIDAD BALBOA LLC
03/18/2008	ORIGINAL ANSWER - DEFENDANT <i>DFTS-INTERVENOR/2ND/AMD/PET/INTERVENTION/M/TRSF/VENUE</i>
03/20/2008	RESPONSE <i>PRELIMINARY/LIBELOUS MARCH 3RD M/SANCTIONS</i>
03/21/2008	NOTE - CLERKS <i>*****BEGIN JKCT #7*****</i>
03/24/2008	DESIGNATION OF EXPERT WITNESS(ES) <i>DFTS-SUPPL</i>
03/24/2008	RESPONSE <i>PLTF-IN OPPOSITION TO DEFTS' EMERGENCY 3/17/08 STATUS UPDATE</i>
03/24/2008	Status Conference (3:00 PM) (Judicial Officer: ASHBY, ANNE) <i>-2HRS</i>
03/25/2008	RESPONSE <i>PLTF-OPPOSITION</i>
03/25/2008	MOTION - TRANSFER - CHANGE OF VENUE Party: DEFENDANT BALBOA PARTNERS LTD
03/25/2008	ORIGINAL ANSWER - DEFENDANT <i>TO 2ND/AMD/PET/INTERVENTION</i>
04/07/2008	<b>CANCELED Motion - Transfer</b> <i>HEARING RESCHEDULED        DEFT-AMD-COMUNIDAD BALBOA-30M</i>
04/21/2008	<b>CANCELED Motion - Compel</b> <i>HEARING RESCHEDULED        PLTF-DISCOVERY, M/SANCTIONS &amp; M/ENFORCE RULE 11 AGREEMENT-45M</i>

## CASE SUMMARY

## CASE NO. DC-05-12895

05/12/2008	<b>Motion - Compel</b> (10:00 AM) (Judicial Officer: ASHBY, ANNE) <i>PLTF-DISCOVERY, M/SANCTIONS, DEFT'S M/TRANSFER VENUE &amp; D/MSJ-NO EVID &amp; TRADITIONAL-(MIKOB PROPERTIES, MITCHELL KOBERNICK, COMMUNIAD CORP. &amp; ALLEN KLEIN)-6HRS</i>
05/19/2008	TRIAL SETTING (JURY)
05/19/2008	<b>Jury Trial - Civil</b> (9:00 AM) (Judicial Officer: ASHBY, ANNE)

DATE	FINANCIAL INFORMATION		
	<b>INTERVENOR INTERNATIONAL REALTY CONCEPTS INC</b>		
	Total Charges		
	217.00		
	Total Payments and Credits		
	217.00		
	<b>Balance Due as of 3/31/2008</b>		
	<b>0.00</b>		
11/13/2007	Charge	INTERVENOR INTERNATIONAL REALTY CONCEPTS INC	25.00
11/13/2007	PAYMENT (CASE FEES)	Receipt # 65001-2007-DCLK	(25.00)
12/03/2007	Charge	INTERVENOR INTERNATIONAL REALTY CONCEPTS INC	56.00
12/03/2007	PAYMENT (CASE FEES)	Receipt # 68563-2007-DCLK	(56.00)
02/22/2008	Charge	INTERVENOR INTERNATIONAL REALTY CONCEPTS INC	136.00
02/25/2008	PAYMENT (CASE FEES)	Receipt # 11419-2008-DCLK	(136.00)
	<b>PLAINTIFF 20/20 MANAGEMENT COMPANY ,INC.</b>		
	Total Charges		
	490.00		
	Total Payments and Credits		
	490.00		
	<b>Balance Due as of 3/31/2008</b>		
	<b>0.00</b>		
12/29/2005	Charge	PLAINTIFF 20/20 MANAGEMENT COMPANY ,INC.	212.00
12/29/2005	Charge	PLAINTIFF 20/20 MANAGEMENT COMPANY ,INC.	78.00
12/29/2005	PAYMENT (CASE FEES)	Receipt # 18555-2005-DCLK	(290.00)
12/04/2007	Charge	PLAINTIFF 20/20 MANAGEMENT COMPANY ,INC.	48.00
12/04/2007	PAYMENT (CASE FEES)	Receipt # 68580-2007-DCLK	(48.00)
02/07/2008	Charge	PLAINTIFF 20/20 MANAGEMENT COMPANY ,INC.	152.00
02/07/2008	PAYMENT (CASE FEES)	Receipt # 7724-2008-DCLK	(152.00)

# EXHIBIT C

**Exhibit "C" Appears In Separately Bound  
Multiple Volumes Included With This Submission**

# EXHIBIT D

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

20/20 MANAGEMENT CO. ET AL., §

Plaintiffs §

VS. § Civil Action No. \_\_\_\_\_

COMUNIDAD CORPORATION, §

MIKOB PROPERTIES, INC., ALLAN KLEIN,  
and MITCHELL KOBERNICK, ET AL.

§

Defendants §

**DEFENDANTS' CERTIFICATE OF INTERESTED PERSONS**

Defendants Mikob Properties, Inc., Allan Klein, and Mitchell Kobernick files their certificate of interested persons, association of persons, firms, partnership, corporations, affiliates, parent corporations, and other entities that are financially interested in the outcome of this litigation. Any corporation whose securities are publicly traded has been underlined:

1. 20/20 Management, Inc.
2. St. Johns Holdings, Inc.
3. Michael Neary
4. Mikob Properties, Inc.
5. Allan Klein
6. Mitchell Kobernick
7. Comunidad Corporation
8. Comunidad Balboa, LLC
9. Comunidad Kensington Club II, LLC
10. Comunidad Harbortree, LLC
11. Comunidad Capital LLC
12. Comunidad Stonehaven, LLC
13. Comunidad Wisteria Gardens, LLC
14. BP Apt. Management, L.C.
15. KCP Management, L.C.
16. O. Creek Management, Inc.
17. Oaks of Brittany Management, Inc.
18. Oaks of Brittany, Ltd.

19. S. Haven Management, L.C.
20. S. Haven Partners, Ltd.
21. F. Court Management, L.C.
22. F. Court Partners Management, L.C.
23. Ashford Est. Partners, Ltd.
24. Kensington Green (MK), Inc.
25. Kensington Green (AK), Inc.
26. Kensington Club Partners, Ltd.
27. Kensington Club Apartments, Ltd.

Certified on this 8 day of April, 2008.

Respectfully submitted,

LAW OFFICE OF MARK A. SANDERS



By:

Mark A. Sanders  
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11451 Katy Freeway, Suite 501  
Houston, Texas 77079  
Telephone: 713-468-7700  
Facsimile: 713-468-7701

*Counsel for Defendant*  
**Comunidad Kensington Club I, LLC**

### CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing document has been delivered by facsimile, according to the Federal Rules of Procedure, on this 9th day of April, 2008:

*and/or hand delivery*

Mitchell Madden  
MADDEN SEWELL, L.L.P.  
Four Hickory Centre  
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Dallas, Texas 75234  
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**20/20 Management Company**  
**St. John's Holdings, Inc.**  
**Michael Neary**

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**International Realty Concepts, Inc.**



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Mark A. Sanders

## CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

## I. (a) PLAINTIFFS

20/20 Management Inc. et al.

308 CV - 608

(b) County of Residence of First Listed Plaintiff Dallas  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

Mitchell Madden

1755 Whittington Place, Suite 300, Dallas, TX 75234 972-484-7784

## DEFENDANTS

Comunidad Corporation, Mikob Properties, Inc., Allan Klein and Mitchell Kobernick, et al.

County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known)

Mark A. Sanders, 11451 Katy Freeway, Suite 501, Houston, TX 77079 713-468-7700

RECEIVED  
APR - 9 2008U.S. DISTRICT COURT  
HARRIS COUNTY DISTRICT COURT  
TEXAS

## II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

<input type="checkbox"/> 1 U.S. Government Plaintiff	<input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)
<input type="checkbox"/> 2 U.S. Government Defendant	<input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

Citizen of This State	<input type="checkbox"/> PTF <input type="checkbox"/> DEF	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> PTF <input type="checkbox"/> DEF
Citizen of Another State	<input type="checkbox"/> 2 <input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5 <input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3 <input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6 <input type="checkbox"/> 6

## IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	<b>PERSONAL INJURY</b>	<b>PERSONAL INJURY</b>	<b>PROPERTY RIGHTS</b>	<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 362 Personal Injury - Med. Malpractice	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 365 Personal Injury - Product Liability	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<b>SOCIAL SECURITY</b>	<input type="checkbox"/> 450 Commerce
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 330 Federal Employers' Liability	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 861 HIA (1395f)	<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 862 Black Lung (923)	<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans)	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 863 DIWC/DIWW (405(g))	<input type="checkbox"/> 480 Consumer Credit
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 864 SSID Title XVI	<input type="checkbox"/> 490 Cable/Sat TV
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 390 Other Personal Injury	<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 810 Selective Service
<input checked="" type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 360 Other Personal Injury	<b>LABOR</b>	<b>FEDERAL TAX SUITS</b>	<input type="checkbox"/> 850 Securities/Commodities/ Exchange
<input type="checkbox"/> 195 Contract Product Liability		<input type="checkbox"/> 710 Fair Labor Standards Act	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)	<input type="checkbox"/> 875 Customer Challenge 12 USC 3410
<input type="checkbox"/> 196 Franchise		<input type="checkbox"/> 720 Labor/Mgmt. Relations	<input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 890 Other Statutory Actions
	<b>REAL PROPERTY</b>	<b>CIVIL RIGHTS</b>	<b>IMMIGRATION</b>	<input type="checkbox"/> 891 Agricultural Acts
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 462 Naturalization Application	<input type="checkbox"/> 892 Economic Stabilization Act
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 442 Employment	<b>Habeas Corpus:</b>	<input type="checkbox"/> 463 Habeas Corpus - Alien Detainee	<input type="checkbox"/> 893 Environmental Matters
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 443 Housing/ Accommodations	<input type="checkbox"/> 530 General	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 894 Energy Allocation Act
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 444 Welfare	<input type="checkbox"/> 535 Death Penalty		<input type="checkbox"/> 895 Freedom of Information Act
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 445 Amer. w/Disabilities - Employment	<input type="checkbox"/> 540 Mandamus & Other		<input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice
<input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 446 Amer. w/Disabilities - Other	<input type="checkbox"/> 550 Civil Rights		<input type="checkbox"/> 950 Constitutionality of State Statutes
		<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 555 Prison Condition	

## V. ORIGIN

(Place an "X" in One Box Only)

<input type="checkbox"/> 1 Original Proceeding	<input checked="" type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from another district (specify)	<input type="checkbox"/> 6 Multidistrict Litigation	<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judgment
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## VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
Bankruptcy 28 USC § 1334Brief description of cause:  
Removal to Bankruptcy Court

## VII. REQUESTED IN COMPLAINT:

 CHECK IF THIS IS A CLASS ACTION  
UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:  
JURY DEMAND:  Yes  No

## VIII. RELATED CASE(S) PENDING OR CLOSED

(See instructions):

JUDGE

DOCKET NUMBER

DATE

4/9/08

SIGNATURE OF ATTORNEY OF RECORD

Mark A. Sanders

SBOT 17600500

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

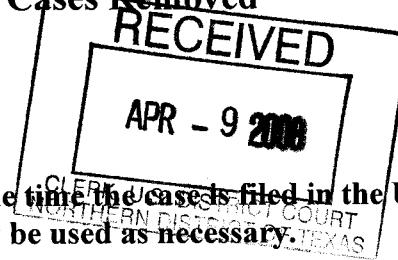
D  
*MICHAEL*  
United States District Court

Northern District of Texas

808 CV - 608 - 0

Supplemental Civil Cover Sheet For Cases Removed  
From State Court

This form must be attached to the Civil Cover Sheet at the time the case is filed in the U.S. District Clerk's Office. Additional sheets may be used as necessary.



## 1. State Court Information:

Please identify the court from which the case is being removed and specify the number assigned to the case in that court.

CourtCase Number134<sup>th</sup> District Court Dallas County, Texas

DC-05-12895

## 2. Style of the Case:

Please include all Plaintiff(s), Defendant(s), Intervenor(s), Counterclaimant(s), Crossclaimant(s) and Third Party Claimant(s) still remaining in the case and indicate their party type. Also, please list the attorney(s) of record for each party named and include their bar number, firm name, correct mailing address, and phone number (including area code.)

Party and Party TypeAttorney(s)Plaintiffs

Mitchell Madden  
Four Hickory Centre  
1755 Whittington Place, Suite 300  
Dallas, Texas 75234  
Telephone: 972-484-7780  
Facsimile: 972-484-7743

20/20 MANAGEMENT COMPANY  
ST. JOHN'S HOLDINGS, INC.  
MICHAEL NEARY

Defendants

Mark A. Sanders  
State Bar No. 17600500  
11451 Katy Freeway, Suite 501  
Houston, Texas 77079  
Telephone: 713-468-7700  
Facsimile: 713-468-7701

COMUNIDAD KENSINGTON CLUB I, LLC  
MIKOB PROPERTIES, INC.  
ALLAN KLEIN  
MITCHELL KOBERNICK  
COMUNIDAD BALBOA, LLC  
COMUNIDAD KENSINGTON CLUB II, LLC  
COMUNIDAD HARBORTREE, LLC  
COMUNIDAD CAPITAL LLC  
COMUNIDAD STONEHAVEN, LLC  
COMUNIDAD WISTERIA GARDENS, LLC  
BALBOA PARTNERS, LTD.  
BP APT. MANAGEMENT, L.C.  
KCP MANAGEMENT, L.C.  
O. CREEK MANAGEMENT, INC.  
OAKS OF BRITTANY MANAGEMENT, INC.  
OAKS OF BRITTANY, LTD.  
S. HAVEN MANAGEMENT, L.C.  
S. HAVEN PARTNERS, LTD.  
F. COURT MANAGEMENT, L.C.  
F. COURT PARTNERS MANAGEMENT, L.C.  
ASHFORD EST. PARTNERS, LTD.  
KENSINGTON GREEN (MK), INC.  
KENSINGTON GREEN (AK), INC.  
KENSINGTON CLUB PARTNERS, LTD.  
KENSINGTON CLUB APARTMENTS, LTD.

COMUNIDAD CORPORATION

Michael W. Eaton  
EATON LAW FIRM, P.L.L.C.  
1310 N. White Chapel Road, Suite 200  
Southlake, Texas 76092  
(817) 410-9500  
(817) 410-9525 Fax

Intervenor

INTERNATIONAL REALTY CONCEPTS, INC.

Lawrence J. Friedman  
Friedman & Feiger, L.L.P.  
5301 Spring Valley Road, Suite 200  
Dallas, Texas 75254  
972-788-1400  
972-788-2667 Fax

3. **Jury Demand:**

Was a Jury Demand made in State Court?

\* Yes  No

If "Yes," by which party and on what date?

Plaintiffs

12/21/05

Party

Date

**Supplemental Civil Cover Sheet**

**Page 2**

**4. Answer:**

Was an Answer made in State Court? ★ Yes  No

If "Yes," by which party and on what date?

MIKOB PROPERTIES, INC.

June 6, 2006

ALLAN KLEIN

MITCHELL KOBERNICK

COMUNIDAD CORP.

February 27, 2006

COMUNIDAD BALBOA, LLC

COMUNIDAD KENSINGTON CLUB II, LLC

COMUNIDAD HARBORTREE, LLC

COMUNIDAD CAPITAL LLC

December 21, 2007

COMUNIDAD STONEHAVEN, LLC

COMUNIDAD WISTERIA GARDENS, LLC

BP APT. MANAGEMENT, L.C.

KCP MANAGEMENT, L.C.

O. CREEK MANAGEMENT, INC.

OAKS OF BRITTANY MANAGEMENT, INC.

OAKS OF BRITTANY, LTD.

S. HAVEN MANAGEMENT, L.C.

S. HAVEN PARTNERS, LTD.

March 3, 2008

F. COURT MANAGEMENT, L.C.

F. COURT PARTNERS MANAGEMENT, L.C.

ASHFORD EST. PARTNERS, LTD.

KENSINGTON GREEN (MK), INC.

KENSINGTON GREEN (AK), INC.

KENSINGTON CLUB PARTNERS, LTD.

KENSINGTON CLUB APARTMENTS, LTD.

**5. Unserved Parties:**

The following parties have not been served at the time this case was removed:

<u>Party</u>	<u>Reason(s) for No Service</u>
N/A	

**6. Nonsuited, Dismissed or Terminated Parties:**

Please indicate any changes from the style on the State Court papers and the reason for that change:

<u>Party</u>	<u>Reason</u>
N/A	

**7. Claims of the Parties:**

The filing party submits the following summary of the remaining claims of each party in this litigation:

<u>Party</u>	<u>Claim(s)</u>
Plaintiffs	suit for real estate brokerage commission and asset management fee
Intervenor	suit on a note